

**UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY**

QUESTIONNAIRE FOR ERIC HOLDER, JR., ATTORNEY GENERAL NOMINEE

PUBLIC

1. **Name:** Full name (include any former names used).

Eric Himpton Holder, Jr.

2. **Position:** State the position for which you have been nominated.

Attorney General of the United States

3. **Address:** List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office: Covington & Burling LLP
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

4. **Birthplace:** State date and place of birth.

January 21, 1951; New York, New York

5. **Marital Status:** (include name of spouse, and names of spouse pre-marriage, if different). List spouse's occupation, employer's name and business address(es). Please, also indicate the number of dependent children.

Married to: Sharon Denise Malone
Physician

Number of Dependents: We have three dependent children.

6. **Education:** List in reverse chronological order, listing most recent first, each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Columbia Law School - New York, New York
1973 – 1976
J.D. awarded May 1976

Columbia College - New York, New York,
1969 – 1973
B.A. awarded May 1973

7. **Employment Record:** List in reverse chronological order, listing most recent first, all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or job description where appropriate.

Partner
Covington & Burling LLP
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
July 2001 – present

Deputy Attorney General of the United States
U.S. Department of Justice
Washington, D.C. 20530
1997 – 2001

United States Attorney for the District of Columbia
U.S. Department of Justice
Washington, D.C. 20005
1993 – 1997

Associate Judge
District of Columbia Superior Court
500 Indiana Avenue, N.W.
Washington, D.C. 20001
1988 – 1993

Trial Attorney
U.S. Department of Justice
Criminal Division
Public Integrity Section
Washington, D.C. 20530
1976 – 1988

Law Clerk
U.S. Department of Justice
Criminal Division
Washington, D.C. 20530
Summer 1975

Law Clerk
N.A.A.C.P. Legal Defense and Educational Fund, Inc.
10 Columbus Circle
New York, New York
Summer 1974

Systems Engineer
International Business Machines
475 Northern Blvd
Great Neck, NY
Summer 1973

NON-PROFIT BOARDS:

George Washington University – Board of Trustees
October 25, 1996 – 1997
No payment received

American Constitution Society
1333 H Street, N.W., 11th Floor
Washington, D.C. 20005
Board member: 2003 – present
No payment received

Columbia University
2960 Broadway
New York, NY 10027-6902
212-854-1754
Trustee: 2007 – present
No payment received

Georgetown Day School
4200 Davenport Street, N.W.
Washington, D.C. 20016
202-274-3200
Trustee: 2006 – present
No payment received

Meyer Foundation
1400 16th Street, N.W.
Suite 360
Washington, D.C. 20036
202-483-8294
Board member: 2001 – present
No payment received

Morehouse School of Medicine
720 Westview Drive, S.W.
Atlanta, GA 30310-1495
404-752-1500
Trustee: 2005 – present
No payment received

Save the Children Foundation
54 Wilton Road
Westport, CT 06880
1-800-728-3843
Board member: 2004 – present
No payment received

Turnaround for Children
25 West 45th Street, 6th Floor
New York, NY 10036
646-786-6200
Board member: 2004 – present
No payment received

Washington, DC Police Foundation
Federal City Council
1156 15th Street
Suite 600
Washington, D.C. 20005
202-223-4560
Chairman: 2006 – present
No payment received

American Bar Association
740 15th Street, N.W.
Washington, D.C. 20005-1019
202-662-10000
General Member; Task Force on the Judiciary: 2001 – 2003
No payment received

Appleseed Foundation
7272 15th Street, N.W.
11th Floor
Washington, D.C. 20005
202-347-7960
Board Member: 2002 – 2003
No payment received

Columbia Law School
Board of Visitors
435 West 116th Street
New York, NY 10027-7297
Member: 2002 – 2005
No payment received

D.C. Appleseed Center for Law & Justice, Inc.
1111 14th Street, N.W.
Suite 510
Washington, D.C. 20005
202-289-8007
Board member: 2003 – 2004
No payment received

D.C. Commission on Judicial Disabilities and Tenure
515 5th Street, N.W.
Suite 246
Washington, D.C. 20001
202-727-1363
Commissioner: 2002 – 2008
No payment received

District of Columbia Education Compact
25 E Street, N.W.
Suite 300-B
Washington, D.C. 20001
202-552-6580
Board member: 2006 – 2007
No payment received

Democratic National Committee
430 S. Capitol Street, S.E.
Washington, D.C. 20003
202-863-8000
Member, African American Working Group; Member, National Lawyers Council
2005 – 2007
No payment received

Equal Justice Works
2120 L Street, N.W.
Suite 450
Washington, D.C. 20037-1541
202-466-3686
Board member: 2001 – 2003
No payment received

I Am Your Child
335 N. Maple Drive
Suite 135
Beverly Hills, CA 90210
310-285-2385
Board member: 2001 – 2004
No payment received

Innocence Project of the National Capital Region
American University Washington College of Law
4801 Massachusetts Avenue, N.W.
Washington, D.C. 20016
202-274-4199
Board member: 2002
No payment received

Eastman Kodak Company
343 State Street
Rochester, NY 14650
585-724-4000
Member, Diversity Advisory Panel: 2002 – 2004
Received payment (to Covington & Burling LLP)

Lawyers for One America
4136 Redwood Highway, Suite 9
San Rafael, CA 94903
415-479-3636
Board member: 2001 – 2005
No payment received

Markle Foundation
Task Force on National Security
10 Rockefeller Plaza, 16th Floor
New York, NY 10020
212-713-7600
Member: 2002
No payment received

MCI, c/o Verizon Communications
One Verizon Way
Basking Ridge, NJ 07920
212-395-1525
Member, MCI Board of Directors: 2003 – 2006
Received payment

National Capital Area September 11 Fund
United Way of the National Capital Area
8391 Old Courthouse Road, Suite 200
Vienna, VA 22182
202-488-2000
Member, Governance Committee: 2001 – 2003
No payment received

National Center for Victims of Crime
2000 M Street, Suite 480
Washington, D.C. 20036
202-467-8700
Board member - 2003 - 20007
No payment received

National Gallery of Art
Trustees Council
4th & Constitution Avenue, N.W.
Washington, D.C. 20565
202-737-4215
Member: 2003 – 2007
No payment received

National Institute of Law & Equity
University of Memphis, CJUS
311 McCord Hall
Memphis, TN 38152
901-324-4377
Board member: 2002 – 2003
No payment received

PEW Hispanic Center
1615 L Street, N.W.
Suite 700
Washington, D.C. 20036
202-419-3600
Member, Advisory Board: 2003
No payment received

Sullivan Commission on Diversity in the Healthcare Workforce
Duke University School of Medicine
2301 Erwin Road
Durham, NC 27710
919-684-8111
Commissioner: 2003-2006
No payment received

U.S. Sentencing Commission
One Columbus Circle, N.E.
Washington, D.C. 20002-8002
(202) 502-4500
Member, Ad Hoc Advisory Group: 2002 – 2003
No payment received.

Washington Center for Internships and Academic Seminars
1333 16th Street, N.W.
Washington, D.C. 20036-2205
202-238-7900
Board member: 2002 – 2003
No payment received

8. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received.

I have not served in the military.

9. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Columbia College – New York State Regents Scholarship

Columbia College – Dean's List

Department of Justice Special Achievement Award – 1985

Department of Justice Outstanding Performance Awards – 1979, 1980, 1984, 1985, 1986

National Black Prosecutors Association – Pioneer Award – July 1994

District of Columbia Bar Association – Beatrice Rosenberg Award – February 17, 1995.

Greater Washington Urban League, Inc – “Black and White and Great Together, the Unity Continues” – Award – March 8, 1995.

American Jewish Congress National Capital Region – Conscience of the Community Award – June 27, 1995.

Phi Beta Sigma Fraternity – African-American Male Image Award – July 14, 1995.

George Washington University – Martin Luther King, Jr. Medal for Outstanding Service in Human Rights – January 23, 1996.

Columbia College's 1996 John Jay Award – March 21, 1996.

National Organization of Black Law Enforcement Executives (D.C. Chapter) – Public Service Award – April 1996

Federation of Citizens Associations of D.C. – Recognition Award – April 24, 1996

Omega Psi Phi Fraternity, D.C. Area Chapter, Citizen of the Year for 1996 - 1997 – November 15, 1996.

Brotherhood of Shiloh Men, Shiloh Baptist Church, Washington, D.C.
Community Service Award – January 18, 1997

McDonald's Family Restaurants Award – Black History Maker of Today – February 13, 1997

Asian Pacific American Bar Association – Community Service Award – March 18, 1997.

Lawyer of the Year – Bar Association of the District of Columbia – December 6, 1997

Honorary Degree – Bowie State University – 1999

Honorary Degree – George Washington University – 1998

Honorary Degree – LeMoyne Owen College – 2000

Distinguished Alumni Award – Black Law Students Association of Columbia Law School – March 26, 2004

William Tucker Garvin Public Service Award – Queens County District Attorney's Office – February 23, 2006

Legal Times, The 90 Greatest Washington Lawyers of the Last 30 Years – May 2008

America Lawyer, America's 50 Most Influential Minority Lawyers – 2008

10. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

American Bar Association – Coalition for Justice – 1995 – 1996

American Bar Association – High Profile Trials Team – 1996 – 1997

District of Columbia Superior Court
Bias Task Force Subcommittee
1992

District of Columbia Bar
Courts, Lawyers and Administration of Justice Section
Steering Committee
1990 – 1995

American Bar Association – Member – 2001 – 2003

American Bar Association – Section of Litigation - 2001 – 2003

American Bar Association's Task Force on the Judiciary – 2001 – 2003

11. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

New York State Bar: 2nd Dept – Admitted September 7, 1977 (Inactive)
District of Columbia Bar – Admitted January 23, 1980

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

U.S. Supreme Court Bar – Admitted April 24, 2000
U.S. District Court for the District of Columbia – Admitted May 29, 2002
U.S. Court of Appeals for the First Circuit – Admitted May 1, 2006

12. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 10 or 11 to which you belong, or to which you have belonged, or in which you have significantly participated, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Concerned Black Men, Inc.
1983 – present

National Foundation for Teaching Entrepreneurship Advisory Board
1994 – 1997

Sigma Pi Phi Fraternity
1994 – present

See Forever Foundation
1995 – 2002

Please also see non-profit organizations listed in response to Question no. 7.

- b. Please indicate whether any of these organizations listed in response to 12(a) above currently discriminate or formerly discriminated on the basis of race, sex, or religion – either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

None of these organizations have discriminated or do discriminate.

13. **Published Writings and Public Statements:**

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Please supply four (4) copies of all published material to the Committee.

“Importance of Diversity in the Legal Profession” Cardozo Law Review,
2001
23: 2241

The Prosecution of Public Corruption; article written on "Sentencing Advocacy"; U.S. Department of Justice; February, 1988

"A Distorted Portrait of a Superb Nominee," Letter to the Editor, The Wall Street Journal, June 14, 1994

"Dealing with the Media in High-Profile White Collar Crime Cases: The Prosecutor's Dilemma" (with Kevin A. Olson) - Contained in the ABA's 1995 White Collar Crime Manual. The Manual is a publication of the ABA's Section of Criminal Justice and the Center for Continuing Legal Education.

"911 for the D.C. Police" (Parts I and II), The Washington Post, Op-Ed Page, 1/31/96 and 2/1/96.

- b. Please supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, please give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

None.

- c. Please supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

I have testified before the U.S. Congress on the following occasions:

Committee / Subcommittee	Subject	Date
House Judiciary Committee (Crime)	Combating Crime in the District of Columbia	1995-6-22
Senate Judiciary	Confirmation hearing for position of Deputy Attorney General	1997-6-13
Senate Judiciary	Dep't of Justice priorities	1998-7-15
Senate Judiciary	Hate Crimes Prevention Act of 1999	1999-5-11
House Judiciary (Crime)	Proposed legislation re gun shows	1999-5-27
House Judiciary	Hate Crimes Prevention Act of 1999	1999-8-4
Senate Appropriations (Labor)	Youth Violence Initiative	1999-9-14
Senate Judiciary	Clemency to FALN members	1999-10-20

Committee / Subcommittee	Subject	Date
House Government Reform	Pardon of Marc Rich	2001-2-8
Senate Judiciary	Pardon of Marc Rich	2001-2-14

Please also see speeches found at: <http://www.usdoj.gov/archive/index-dag.html>

- d. Please supply four (4) copies, transcripts or tape recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Please include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or tape recording of your remarks, please give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, please furnish a copy of any outline or notes from which you spoke.

Title	Location	Date
Commemoration of the Life and Legacy of Dr. Martin Luther King, Jr.	J. Edgar Hoover FBI Building, Washington, DC	1999-1-13
Responding to Child Maltreatment Conference	San Diego, CA	1999-1-26
Affirmative Action Press Conference	Dep't of Transportation, Washington, DC	1999-1-29
Alliance of Concerned Men	Jones Mem'l Utd. Methodist Church, Washington, DC	1999-1-29
American Hospital Association	Washington, DC	1999-2-1
Nat'l Symposium on Victims of Federal Crime	Washington, DC	1999-2-8
14th Annual Black Alumni Reception	Columbia Univ., New York, NY	1999-2-22
AARP, HHS & DOJ News Conference	Atlanta, GA	1999-2-24
Vice President's Corruption Panel	State Dep't, Washington, DC	1999-2-25
MCOPS Vehicle Presentation	Washington, DC	1999-2-26
Harvard Univ. School of Public Health, Center for Health Communication	Cambridge, MA	1999-3-10
NDIC Regional Heroin Conference	Baltimore, MD	1999-3-16
NOBLE Luncheon	Oakland, CA	1999-3-19
Chamber of Commerce	Oakland, CA	1999-3-19
Community First Event	Oakland, CA	1999-3-19
HHS-OIG & Health Compliance Ass'n	Washington, DC	1999-3-22
NAAG Meeting	White House, Washington, DC	1999-3-25
Sister-to-Sister Fly-In Juvenile Justice & Teen Violence Workshop	Washington, DC	1999-4-21
Wreath Laying Ceremony, National Law Enforcement Officers Mem'l	Judicial Square, Washington, DC	1999-5-1
NAAG Meeting	Jackson, MS	1999-5-3

Title	Location	Date
Law Day Celebration, MLK Memorial Library	Washington, DC	1999-5-4
Law Club of the City of Chicago	Chicago, IL	1999-5-4
Nat'l Advisory Council on Violence Against Women	Dep't of Health & Human Services, Washington, DC	1999-5-10
Put the Brakes on Youth Crime Law Enforcement Roundtable	Rocky Mount, NC	1999-5-14
DC Domestic Violence Training Conference	Washington, DC	1999-5-19
Peace Officers Mem'l Day Ceremony	Glynco, GA	1999-5-20
Coalition of Bar Ass'ns of Color	McDermott, Will, & Emery, Washington, DC	1999-5-21
Future Educators of America Leadership Conference	Charles County Public Schools, Charles County, MD	1999-5-27
Council for Court Excellence, Justice Potter Stewart Award Dinner	U.S. Supreme Court, Washington, DC	1999-5-25
Elizabeth Seton H.S. Commencement	Washington, DC	1999-6-1
Office of Small & Disadvantaged Business Utilization	Washington, DC	1999-6-2
DeMatha Catholic H.S. Commencement	Hyattsville, MD	1999-6-4
Legal Profession Day	Georgetown Univ. Law Ctr., Washington, DC	1999-6-8
Strengthening Police-Community Relationships Conference	Marriot Wardman Park Hotel, Washington, DC	1999-6-9
U.S. Conference of Mayors	New Orleans, LA	1999-6-12
INS New Attorney Training Conference	Washington, DC	1999-6-16
Congressional Black Caucus Luncheon	U.S. Capitol, Washington, DC	1999-6-16
Hate Crimes Summit	Sharonville, OH	1999-6-21
National Summit on Children Exposed to Violence	Washington, DC	1999-6-22
Crimes Against Children Conference	Dallas, TX	1999-6-22
Black McDonald's Operators Ass'n	New York, NY	1999-7-10
NAACP Annual Convention	New York, NY	1999-7-13
Robert F. Kennedy Youth Leadership Conference	George Washington Univ., Washington, DC	1999-7-15
Economic Crime Summit	Orlando, FL	1999-5-11
Investiture of Eric T. Washington	Washington, DC	1999-7-16
Call to Action for Racial Justice in the 21st Century	White House, Washington, DC	1999-7-20
Lawyers for One America Dinner	Washington, DC	1999-7-20
FBI Nat'l Acad. Assocs.	Chicago, IL	1999-7-24
Gun Free Schools Act Report	Dep't of Education, Washington, DC	1999-8-10
Safe From The Start MA Summit	Boston, MA	1999-9-13
Int'l Conference on Combating Child Pornography on the Internet	Vienna, Austria	1999-9-29
ABA White Collar Crime Practice Development Subcommittee for Young Lawyers	Washington, DC	1999-10-12

Title	Location	Date
ABA Colloquium on Diversity	Aspen, CO	1999-10-15
Acad. for Educational Development Roundtable on Improving Access to Health Care	Washington, DC	1999-10-19
Voices Against Violence Conference	Washington, DC	1999-10-20
National Children's Alliance Legislative Conference	Washington, DC	1999-10-20
NAPO Top Cops Event with the President	White House, Washington, DC	1999-10-21
Nursing Home Fraud and Abuse Ctr.	Philadelphia, PA	1999-10-26
U.S. Attorneys' Hate Crimes Conference	Washington, DC	1999-10-28
Call to Action for Racial Justice in the 21st Century	San Diego, CA	1999-11-4
Annual Meeting of the Medical Society of DC	Washington, DC	1999-11-8
Secret Service Nigerian Organized Crime Conference	Washington, DC	1999-11-9
Diversity in the Legal Workplace Conference	Atlanta, GA	1999-11-16
Child Welfare in DC in the 21st Century Symposium	Washington, DC	1999-11-17
Nat'l Conference of State Legislatures, Children, Families, and Health Comm.	Washington, DC	1999-12-2
American Jewish Congress	Washington, DC	1999-12-6
Announcement of New Internet Crimes Against Children Task Force Grants	Alexandria, VA	1999-12-13
High-Tech Crime Summit	Washington, DC	2000-1-12
Commemoration of Martin Luther King, Jr.	J. Edgar Hoover FBI Building, Washington, DC	2000-1-14
Press conference re United States v. Fresenius AG	Boston, MA	2000-1-19
Swearing-In Ceremony for John W. Marshall, Dir., USM Service	Arlington, VA	2000-2-1
IRS Criminal Investigation Div. Meeting	Arlington, VA	2000-2-1
Conference of Chief Justices of the State Supreme Courts	Austin, TX	2000-2-2
Lancers Boys Club	Baltimore, MD	2000-2-4
Digital Divide Event	Eastern Boys & Girls Club, Washington, DC	2000-2-10
Black History Month Celebration	E.D. Va. U.S. Attorney's Office, Richmond, VA	2000-2-11
Traffic Stops and Data Collection	Washington, DC	2000-2-17
Pro Bono Institute 10th Annual Seminar	Washington, DC	2000-2-25
D.C. Dep't of Health Maternal Health Conference	Washington, DC	2000-2-28
Presidential Certification Decision	State Dep't, Washington, DC	2000-3-1
Nat'l Money Laundering Strategy Roll Out	Treasury Dep't, Washington, DC	2000-3-8
Children Exposed to Violence Initiative Conference re Innovations in the Medical Profession	Washington, DC	2000-3-13

Title	Location	Date
Public Policy Conference on Economic Viability and Violence	Washington, DC	2000-3-13
Nat'l Ctr. for Neighborhood Enterprise Luncheon	Washington, DC	2000-3-15
Project Recover Opening, William Wendt Center	Washington, DC	2000-3-21
Civil Chiefs' Conference	Remarks by video from Washington, DC	2000-4-3
Diversity in the Legal Profession	Denver, CO	2000-4-4
Metropolitan Black Bar Ass'n Annual Awards Dinner	New York, NY	2000-4-27
Navy General Counsel's Conference	Alexandria, VA	2000-5-4
Children Exposed to Violence Initiative	Yale Univ. Child Study Center, New Haven, CT	2000-5-8
ADL Nat'l Leadership Conference	Washington, DC	2000-5-8
ICAC Task Force Grants Announcement	Alexandria, VA	2000-5-10
LeMoyne-Owen Coll. Commencement	Memphis, TN	2000-5-13
Nat'l Law Enforcement Officers Candlelight Vigil (WRITTEN BUT NOT DELIVERED)	Washington, DC	2000-5-13
GLADD Media Awards Dinner	Washington, DC	2000-5-13
FBI Memorial Service (WRITTEN BUT NOT DELIVERED)	Los Angeles, CA	2000-5-16
Maryland State Police Domestic Violence Conference	Baltimore, MD	2000-5-22
National Missing Children's Day	J. Edgar Hoover FBI Building, Washington, DC	2000-5-25
Weed and Seed Law Enforcement Conference	New Orleans, LA (by video from Washington, DC)	2000-5-25
Univ. of Maryland Law School Commencement	College Park, MD	2000-5-26
Nat'l Bar Ass'n Women Lawyers' Division	Washington, DC	2000-5-30
Sixth Circuit Judicial Conference	Cincinnati, OH	2000-6-2
Caribbean Justice Ministerial Conference	Port of Spain, Trinidad	2000-6-11 - 2000-6-13
Racial Diversity in the Legal Profession Forum	San Francisco Bar Ass'n, San Francisco, CA	2000-6-14
HCFA/DOJ Conference re Combating Health Care Fraud and Abuse	Arlington, VA	2000-6-26
League of United Latin American Citizens	Washington, DC	2000-6-26
Do the Write Thing Challenge Program	Dep't of Justice, Washington, DC	2000-7-18
Operation PUSH Convention	Chicago, IL	2000-7-26
Nat'l Urban League Convention	New York, NY	2000-8-2
Nat'l Ass'n of Police Organizations	Washington, DC	2000-8-6
Nat'l Black Prosecutors Ass'n Convention	Washington, DC	2000-8-9
Nat'l Black Prosecutors Ass'n Convention	Washington, DC	2000-8-10
Int'l Assoc. of Chiefs of Police Community Policing Conference	Durban, South Africa	2000-8-28

Title	Location	Date
Hate Crimes Event	White House, Washington, DC	2000-9-13
Nat'l Campaign Against Youth Violence Press Conference	Nat'l Press Club, Washington, DC	2000-9-14
Congressional Black Caucus Brain Trust re Police Brutality	Washington, DC	2000-9-14
Congressional Black Caucus Foundation Legislative Conference	Washington, DC	2000-9-15
DOJ / ABA Career Day	Dep't of Justice, Washington, DC	2000-9-15
Anti-Defamation League Event	Washington, DC	2000-9-20
Tribute to Sen. Schumer, Coalition to Stop Gun Violence Awards Dinner	Washington, DC	2000-9-20
Southwest Border Conference	Washington, DC	2000-9-20
National District Attorneys' Assoc. Community Prosecution Meeting	Washington, DC	2000-9-25
First Monday 2000 Campaign	Philadelphia, PA	2000-10-2
Lehigh County Bar Assoc. Bench and Bar Conference	Washington, DC	2000-10-5
Symposium on Fed. Sentencing Policy for Economic Crimes and New Technology Offenses	Arlington, VA	2000-10-12
National Law Enforcement Officers Memorial Fund Wreathlaying Ceremony	Washington, DC	2000-10-13
Mercer Univ. Executive Forum Series	Atlanta, GA & Macon, GA (same remarks)	2000-10-19
Inauguration of Ronald Mason, Jr.	Jackson State Univ., Jackson, MS	2000-10-20
Am. Acad. of Child and Adolescent Psychiatry Meeting	Manhattan, NY	2000-10-26
Investiture of Thomas Motley	D.C. Superior Court, Washington, DC	2000-10-27
Am. College of Trial Lawyers Meeting	Washington, DC	2000-10-28
Column written in memory of Chuck Ruff		2000-11-21
Children Exposed to Violence Initiative, Safe from the Start Forum	Berkeley, CA	2000-12-5
Conference of Human Rights Commissioners	Washington, DC	2000-12-11
Baltimore City COPS Grant Event	Baltimore, MD	2001-1-18
OJJDP National Conference re Justice for Children	Washington, DC	2000-12-14
Janet Reno Portrait Presentation	Dep't of Justice, Washington, DC	2000-1-11
Janet Reno Farewell Ceremony	Dep't of Justice, Washington, DC	2001-1-11
Commemoration of Dr. Martin Luther King, Jr.	Dep't of Justice, Washington, DC	2001-1-16
Lynne Battaglia Swearing-In Ceremony	Maryland State house, Annapolis, MD	2001-1-26
"Congressional Oversight and Investigations in the 110th Congress"	Covington & Burling LLP E-Alert	2006-11-16
"The Feds' Increasing Focus on the Pharmaceutical Industry"	Journal of the Food and Drug Law Institute	2001-11/12

Title	Location	Date
"The Impact of the McNulty Memorandum"	Covington & Burling LLP Conference Call	2006-12-22
Prison Drug-Testing Directive	White House, Washington, DC	1998-1-12
Commemoration of Dr. Martin Luther King, Jr.	Dep't of Justice, Washington, DC	1998-1-15
Dr. Martin Luther King, Jr. Commemorative Program	CIA, Arlington, VA	1998-1-22
Electronic Exchange of Legal Documents Symposium	Washington, DC	1998-1-28
Dublin Laurens Alternative School	Rentz, GA	1998-1-29
Nat'l Bar Assoc. Judicial Council and Board of Governors Meeting	U.S. Virgin Islands	1998-1-30
AARP Conference	Washington, DC	1998-2-4
Remarks re Black History Month	Lisbon Elementary School, Dallas, TX Townview Magnet H.S., Dallas, TX FBI Field Office, Houston, TX U.S. Attorney's Office, Houston, TX Thurgood Marshall Elementary School, Washington, DC (SAME REMARKS)	1998-2-6 1998-2-12 1998-2-18
Hate Crimes Conference	Washington, DC	1998-2-4
Professional Responsibility Officers Conference	Washington, DC	1998-3-5
Black Law Students Association, Univ. of Maryland Law School Awards Dinner	College Park, MD	1998-3-7
D.C. Chamber of Commerce	Washington, DC	1998-3-19
Anti-Drunk Driving Legislation	White House, Washington, DC	1998-3-30
Columbia Law School, Public Interest Award Presentation	New York, NY	1998-4-2
Anti-Defamation League Leadership Conference	Washington, DC	1998-4-6
Black Students Assoc. Alumni Conference	Columbia Law School, New York, NY	1998-4-17
Nat'l Police Survivors' Seminar	Alexandria, VA	1998-5-14
U.S. Attorney Awards to Law Enforcement Agencies	Wilmington, DE	1998-5-20
Bowie State Univ. Commencement	Landover, MD	1998-5-23
Geo. Washington Univ. Law School Commencement	Washington, DC	1998-5-24
Executive Office of Immigration Review Conference	Aspen Institute, Queenstown, MD	1998-5-26
School Without Walls Commencement	Washington, DC	1998-6-12
Volunteers of America Conference	New Orleans, LA	1998-6-15

Title	Location	Date
Father's Day Communion Brunch	Church of the Resurrection, East Elmhurst, NY	1998-6-21
INS / Int'l Assoc. of Chiefs of Police Conference	El Paso, TX	1998-6-26
National Black Prosecutors Convention	New Orleans, LA	1998-7-21
Value-Based Violence Prevention Initiative	White House, Washington, DC	1998-7-22
Chicago Anti-Narcotics Initiative Rollout	Chicago, IL	1998-8-10
Youth Sunday	New Home Baptist Church, Landover, MD	1998-9-13
Safer Communities, Brighter Futures Conference	Des Moines, IA	1998-9-16
Investiture of Greg Sleet	Wilmington, DE	1998-9-28
Hotspot Communities Initiative Conference	Baltimore, MD	1998-9-29
Border Coordination Initiative Rollout Conference	Washington, DC	1998-9-29
Council on Foreign Relations remarks re International Crime	Carnegie Foundation Building, Washington, DC	1998-10-14
Fulton Hotel Ground-Breaking Ceremony	Washington, DC	1998-10-16
Investiture of Richard Roberts	Washington, DC	1998-10-19
Nursing Home Quality of Care and Fraud Conference	Herndon, VA	1998-10-21
Robert F. Kennedy Memorial Foundation Conference re Juvenile Justice	Dep't of Justice, Washington, DC	1998-10-22
Am. Health Lawyers Assoc. remarks re Health Care Fraud and Abuse	Arlington, VA	1998-10-22
Hispanic Law Conference and Career Fair	American Univ. Washington College of Law, Washington, DC	1998-11-7
Day with Justice remarks re Private / Public Partnerships for Children	Dep't of Justice, Washington, DC	1998-11-10
Community Prosecution Forum	Washington, DC	1998-12-1
General Counsel Conference	Treasury Dep't, Washington, DC	1998-12-3
Nat'l Conference for Reporters and Editors, Gannett Co.	Crystal City, VA	1998-12-8
Society of Black Lawyers	London, England	1998-12-12
Children Exposed to Violence Initiative	White House, Washington, DC	1998-12-29
FBI Training Academy	Quantico, VA	1997-9-17
Hispanic Nat'l Bar Assoc.	White House, Washington, DC	1997-9-23
Dedication of FBI Washington Field Office Building	Washington, DC	1997-9-26
Mary Alice Stoddard Community Service Award	Washington, DC	1997-10-6
Association of General Counsel	Washington, DC	1997-10-9
Nat'l Conference on Prevention of Crime	Washington, DC	1997-10-13
Swearing-In of D.C. Trustees	Washington, DC	1997-10-17
Public Information Officer Conference	Washington, DC	1997-10-27
Institute of Caribbean Studies Awards Dinner	Washington, DC	1997-11-14
Criminal Chiefs' Conference	Arlington, VA	1997-11-18

Title	Location	Date
Albert C. Maule Memorial Lecture	Quinn Chapel, Chicago, IL	1997-11-20
Amindon Elementary School	Washington, DC	1997-11-25
D.C. Bar Assoc. Banquet	Washington, DC	1997-12-6
Diamond Jubilee Anniversary Celebration	First Baptist Church, East Elmhurst, NY	1997-12-12
American Constitution Society Annual Convention	Washington, DC	2008-6-13
"Essay Concerning Programming Themes: Youth Violence"	U.S. Attorney's Office, Washington, DC	1994-8-22
Naturalization Ceremony	U.S. District Court, Washington, DC	1994-5-10
Youth Sunday	First Baptist Church of Deanwood, Washington, DC	1995-1-29
African-American Festival of Academic Excellence	Washington, DC	1995-5-6
D.C. Children's Advocacy Center, Interagency Agreement Signing Ceremony	Washington, DC	1995-10-6
Memorial Ceremony for Clendon Lee, Jr.	U.S. District Court, Washington, DC	1996-5-2
Federal Bar Assoc. Annual Salute to Law Enforcement	Washington, DC	1996-5-17
Eastern Armed Robbery Conference	Washington, DC	1996-7-25
DARE Graduation Ceremony	Washington, DC	1996-7-26
Omega Psi Phi Man of the Year Award Presentation (WRITTEN STATEMENT)		1996-11-15
Dedication of Sergeant Henry J. Daly Building	Washington, DC	1996-12-13
D.C. Circuit Public Forum	Washington, DC	1997-4-16
Swearing-In Speech, U.S. Attorney	Washington, DC	1993-10-15
Martin Luther King Day Speech	Peoples' Congregational United Church of Christ, Washington, DC	1994-1-16
Robert F. Kennedy Mem'l Foundation Conference re Juvenile Justice	Washington, DC	1994-1-18
D.C. Bar Assoc.	Washington, DC	1994-3-2
"Statement Regarding the Federal Assistance Program"	Law Enforcement Coordinating Committee, U.S. Attorney's Office, Washington, DC	1994-3-18
Law Day	Washington, DC	1994-5-4
Statement re Public Safety and Law Enforcement Support Act of 1994	D.C. Committee on the Judiciary, Washington, DC	1994-7-6
D.C. Dep't of Corrections Awards Ceremony	Washington, DC	1994-9-17
131st Anniversary Celebration	Shiloh Baptist Church, Washington, DC	1994-9-23
Testimony re D.C. Nonviolent Offenses Mandatory-Minimum Sentences Amendment Act of 1994	Washington, DC	1994-10-17

Title	Location	Date
Martin Luther King Day Speech re gun control efforts	Washington, DC	1995-1-13
Black History Month		1995-2
Urban League Conference	Washington, DC	1995-2-4
Rosenberg Award Presentation	Washington, DC	1995-2-17
Criminal Law Seminar, Virginia State Bar	Richmond, VA	1995-2-24
D.C. Public Schools Division on Homeless Children, Homeless Awareness Week	Washington, DC	1995-4-3
Legal Aid Society "Servant of Justice" Awards Dinner	Washington, DC	1995-4-18
Black Law Students Assoc. Distinguished Service Award Presentation	Columbia Law School, New York, NY	1995-4-20
Columbia Law School Commencement	New York, NY	1995-5-16
Center for Youth Services Law Day Conference	Washington, DC	1995-5-31
"Operation Ceasefire" Kickoff Announcement	Washington, DC	1995-6-8
Voluntary Bar Assoc. of D.C. Luncheon	Washington, DC	1995-6-20
Remarks re D.C. Law Enforcement	House Judiciary Committee, Washington, DC	1995-6-22
Testimony, Hearing on Combating Crime in the District of Columbia	House Judiciary Committee, Subcommittee on Crime, Washington, DC	1995-6-22
Investiture of Eric Washington	Washington, DC	1995-7-13
Asian Pacific American Bar Assoc. Installation Dinner	Washington, DC	1995-7-21
Jack and Jill Regional Conference	Reston, VA	1995-7-27
Nat'l Black Child Development Institute Conference	Washington, DC	1995-9-29
Address on the 100th Anniversary of Frederick Douglass's Death	Frederick Douglass Home, Washington, DC	1995-10-14
Testimony, Oversight Hearing on Operation Ceasefire	D.C. Council Judiciary Committee, Washington, DC	1995-10-25
Black History Month Speech		1996-2
Statement re Formation of New Domestic Violence Unit	U.S. Attorney's Office, Washington, DC	1996-4-1
Fifth District Community Prosecution Pilot Program Announcement	Washington, DC	1996-6-3
Faith Moravian Church Dinner	Chevy Chase, MD	1996-9-28
Heritage Foundation Symposium on Crime	Washington, DC	1996-10-15
Bias-Related Crimes Task Force Press Conference	Washington, DC	1996-10-21
Domestic Violence Forum	Dep't of Veterans Affairs, Washington, DC	1996-10-30
D.C. Street Academy Dinner	Washington, DC	1996-11-2
Press Conference re New Drug Legislation	Washington, DC	1996-12-4
Commemoration of Dr. Martin Luther King, Jr.	Dep't of Justice, Washington, DC	1997-1-17

Title	Location	Date
Black History Month Speech		1997-2
Testimony, Felony Murder Amendment Act of 1997	D.C. Council Judiciary Committee, Washington, DC	1997-3-12
Secret Service Special Agent Training Course Graduation	Beltsville, MD	1997-3-21
Citizens Advisory Council Awards Banquet	Washington, DC	1997-4-4
Washington Hebrew Congregation Mitzvah Day Celebration	Washington, DC	1997-4-11

- e. Please list all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

I recall providing an interview to "HistoryMakers" in December 2004, but do not have a transcript. See http://www.thehistorymakers.com/programs/dvl/files/Holder_Ericf.html.

I have tried to recall and search for all the times that I have been interviewed. In answering this questionnaire, I performed a search of the Lexis-Nexis "Transcripts" database to locate interview transcripts. That search revealed the interviews listed below; there are undoubtedly other interviews that I do not recall and for which I do not have transcripts:

Program	Headline	Date
NPR, <i>All Things Considered</i>	Democrat Offers Rationale for Biden Pick	2008-08-27
<i>Fox News Sunday</i>	Interview with Eric Holder, Kenneth Blackwell	2004-10-17
<i>Fox News, Hannity & Colmes</i>	Interview with Eric Holder	2004-4-19
<i>CBS Morning News</i>	Government's case against Zacarias Moussaoui shows signs of cracks	2002-11-7
NBC News, <i>Meet the Press</i>	Eric Holder and Rep. Tom DeLay Discuss the Elian Gonzalez Case	2000-4-23
CBS News, <i>Special Report</i>	Continuing Coverage of the Elian Gonzalez Story	2000-4-22
ABC News, <i>This Week</i>	Preventing Gun Violence	1999-5-2
Federal News Service/FDHC Political Transcripts	Justice Department Media Availability	1998-7-9
CNN News	At Issue – Race in the Criminal Justice System	1995-10-8

In addition, I performed a search of the Lexis-Nexis "CQ Transcriptions" database, which revealed the press conferences listed below; there are undoubtedly other conferences or interviews that I do not recall and for which I do not have transcripts:

Location (Subject if applicable)	Date
Congressional Black Caucus news conference (police brutality and racial profiling)	2000-9-14
Dep't of Justice News Briefing	2000-4-6
White House News Briefing	2000-3-17
Dep't of Justice News Briefing	2000-3-2
Dep't of Justice News Briefing	2000-2-10
Dep't of Justice News Briefing	2000-2-7
Dep't of Justice News Briefing	1999-12-22
Dep't of Justice News Briefing	1999-12-9
Dep't of Justice News Briefing	1999-11-18
Joint News Conference with Secretary of Education Richard Riley and Secretary of the Interior Bruce Babbitt (department budgets)	1999-10-26
Dep't of Justice News Briefing	1999-10-21
Joint News Conference with Secretary of the Treasury Lawrence Summers (combating money laundering)	1999-9-23
Dep't of Justice News Briefing	1999-7-1
Dep't of Justice News Briefing	1999-6-16
Dep't of Justice News Briefing	1999-4-22
Dep't of Justice News Briefing	1999-3-11
Dep't of Justice News Briefing	1999-3-4
Dep't of Justice News Briefing	1999-2-5
Dep't of Justice News Briefing	1999-2-4
Dep't of Justice Press Conference (children exposed to violence)	1998-12-29
Dep't of Justice News Briefing	1998-10-1
Dep't of Justice News Briefing	1998-7-9
Dep't of Justice News Briefing	1998-4-16
Joint News Conference with OMB Director Franklin Raines and several members of Congress (drunk driving legislation)	1998-4-1
Dep't of Justice News Briefing	1998-2-26
Dep't of Justice News Briefing	1998-2-5
Dep't of Justice News Briefing	1997-12-18
Dep't of Justice Press Event (fortieth anniversary of Civil Rights Division)	1997-12-8
Dep't of Justice News Briefing	1997-10-23
U.S. Attorney's Office Press Conference (guilty plea of former Rep. Dan Rostenkowski)	1996-4-9

14. **Legal Career:** Please answer each part separately.

a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I did not serve as a judicial clerk.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have not practiced as a solo practitioner.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

United States Department of Justice
Criminal Division
Public Integrity Section
1976 – 1988
Trial attorney in official corruption cases

District of Columbia Superior Court
Associate Judge
1988 – 1993
Local trial court judge (nominated by President Reagan and confirmed by United States Senate)

United States Attorney
District of Columbia
1993 – 1997
Nominated by President Clinton and confirmed by the United States Senate

United States Department of Justice
Deputy Attorney General of the United States
1997 – 2001
Nominated by President Clinton and confirmed by the United States Senate

Partner
Covington & Burling LLP
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
2001 – present

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

From 1976 through 1988, I was a prosecutor at the U.S. Department of Justice specializing in official corruption cases. From 1988 to 1993, I was a trial court judge at the District of Columbia Superior Court. From 1993 to 1997, I was the United States Attorney for the District of Columbia. From 1997 to 2001, I was the Deputy Attorney General of the United States. Since 2001, I have been a partner at the law firm of Covington & Burling LLP.

- ii. your typical clients and the areas, if any, in which you have specialized.

As a trial attorney with the U.S. Department of Justice, I represented the United States and tried federal criminal cases against public officials charged with corruption.

As a D.C. Superior Court judge, I did not have clients or a specialized docket, although my case load primarily involved criminal matters.

As U.S. Attorney, I represented the United States and supervised criminal and civil matters involving the United States as a party in the District of Columbia.

As Deputy Attorney General, I represented the United States and supervised a wide array of litigation and policy matters on behalf of the United States.

At Covington & Burling LLP, my practice involves a mix of litigation and advisory work, including *pro bono* matters. I have represented a wide array of clients, including large and small corporations, non-profit organizations, and individuals. My practice has focused on employment matters, white-collar criminal work, internal investigations, and other litigation-related activities.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

While I was a prosecutor at the Department of Justice, I appeared in court frequently. As the United States Attorney, I appeared in court only occasionally. I did not appear in court as the Deputy Attorney General.

In my practice at Covington & Burling, I have appeared in court occasionally:

- i. Indicate the percentage of your practice in:

All of my court appearances between 1976 and 1988 were in federal court. As a judge from 1988 to 1993, I sat in the local court for Washington D.C. From 1993 to 1997, as U.S. Attorney, I appeared in both local and federal courts in Washington, D.C.

In my practice at Covington & Burling, my appearances have been:

1. federal courts – 60%
2. state courts of record; – 40%
3. other courts - none.

- ii. Indicate the percentage of your practice in:

1. civil proceedings
2. criminal proceedings

While at the Department of Justice 100% of my litigation was criminal in nature. As a judge about 85% of the cases over which I presided were criminal matters and about 15% civil in nature. As United States Attorney I supervised both a civil division and two criminal (federal and local) divisions; I estimate that I spent approximately 80% of my time supervising criminal matters and 20% of my time supervising civil matters.

In my practice at Covington & Burling, my practice consists roughly of 70% civil proceedings and 30% criminal proceedings.

- d. State the number of cases in courts of record you tried to verdict or judgment (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

I tried approximately twenty cases while at the Department of Justice and the U.S. Attorney's Office. The trials were from one to six weeks in duration. Prior to 1978, I was associate counsel in all of my trials. After 1978, I was chief counsel in all of my trials. I tried one case to judgment while at Covington & Burling, in which I was lead counsel.

- i. What percentage of these trials were:
1. jury - 100%
 2. non-jury.

- e. Describe your practice, if any, before the Supreme Court of the United States. Please supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have not practiced before the U.S. Supreme Court as counsel of record on the merits. I recall serving as counsel on two petitions for certiorari, neither of which was granted:

1. Brian Bush Ferguson v. State of West Virginia (No. 04-1328)
2. Ernesto Santiago v. John L. LaManna, Warden (No. 04-7671)

I have participated as an amicus party in three amicus briefs:

1. D.C. and Fenty, Mayor of the District of Columbia v. Heller (No. 07-290)
2. Miller-El v. Cockrell (No. 01-7662)
3. Johnson v. Bush (No 02-14469C)

15. **Litigation:** Describe the ten (10) most significant litigated matters which you personally handled. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

- (1) United States v. Herbert Cain
Eastern District of Pennsylvania - Philadelphia
Judge Edmund Ludwig
February 1988
862 F.2d 311 (3rd Cir. 1988)
Counsel for defendant - Morris Baran
Jenkintown Plaza
Suite 508
Jenkintown, PA 19046
(215) 886-3588

The defendant in this matter was a Court of Common Pleas judge in Philadelphia who was convicted of accepting bribes to decide cases he tried without a jury.

- (2) United States v. Albert Greenwood
Eastern District of Virginia - Norfolk
Judge Richard B. Kellam
August 1985
795 F.2d 49 (4th Cir. 1986)
Counsel for the defendant was Wayne Lustig who is now deceased.

The defendant was an FBI agent convicted of defrauding the government by creating and submitting false documents to the FBI in connection with his transfer that enabled him to receive money to which he was not entitled.

- (3) United States v. Cristobal Pangelinan
District of Guam
Judge Cristobal Duenas
November 1984
No. 85-1019 (9th Circuit opinion - not published -
September 16, 1985)
Counsel for defendant - Bradley Klemm

1008 Pacific News Building
238 Archbishop F.C. Flores Street
Agana, Guam 96910
(671) 477-7858

The defendant was the director of the Supply Management Division of the government of Guam. He was responsible for the procurement of all supplies used by the government. He was convicted of extorting at least \$260,000 from vendors who sought to do business with the government.

- (4) United States v. James Osticco
Middle District of Pennsylvania - Harrisburg
Judge William Caldwell
August 1983
738 F.2d 424 (3rd Cir. 1984)
Counsel for defendant - John Rodgers Carroll
Suite 850
400 Market Street
Philadelphia, PA 19106
(215) 925-4100

The defendant was an organized crime figure (a "capo" in the Bufalino family) who convinced a juror in a public corruption case, by paying her husband, to vote to acquit the four public officials who were standing trial. After a six week trial the jury announced it was deadlocked at eleven to one for conviction and a mistrial was declared. Osticco was convicted of obstruction of justice.

- (5) United States v. Samuel Lovecchio
Middle District of Pennsylvania - Harrisburg
Judge William Caldwell
August 1983
561 F.Supp. 221 (M.D. Pa. 1983)
Counsel for defendant - Anthony Panaway
65 West Jackson Street
Wilkes Barre, PA 18702
(717) 822-5148

The defendant was an associate of David Osticco and had knowledge of the jury-tampering scheme. He was convicted of perjury for lying to a grand jury about the extent of his knowledge.

- (6) United States v. Robert Matthews
Northern District of Indiana - Hammond
Judge Jesse Eschbach
June 1981
HCR80-14
Counsel for defendant - William Kowalski
4704 Indianapolis Blvd.
East Chicago, IN 46312
(219) 397-7233

The defendant was a police officer in Gary, Indiana, and was convicted of seizing drugs from drug dealers and then selling the drugs back to them.

- (7) United States v. Perch Hankin
Middle District of Pennsylvania - Harrisburg
Judge R. Dixon Herman
May 1979
607 F.2d 611 (3rd Cir. 1979)
Counsel for the defendant was Theodore Flowers who is now deceased.

The defendant was convicted of violating the federal election laws by having friends and relatives submit as their own campaign contributions (to the Shapp for President campaign) money that actually came from the defendant. The defendant in that way was able to avoid the monetary limit placed on individual contributors.

- (8) United States v. Thomas O'Malley
Southern District of Florida - Miami
Judge Charles Fulton
November 1978
707 F.2d 1240 (11th Cir. 1983)
Counsel for defendant - Jeffrey A. Tew
Tew & Nowak
201 South Biscayne Blvd.
Suite 340
Miami, Florida 33131-2305
(305) 577-3900

The defendant was the Florida state treasurer/insurance commissioner. He was convicted of extorting money from businesses that sought to operate in Florida. I tried the case with M. Patrick Sullivan, an Assistant United States Attorney in Miami. His address is:

U.S. Attorney's Office
Southern District of Florida
99 N.E. 4th Street
Miami, Florida 33132
(305) 536-4471

- (9) United States v. John Para
Middle District of Pennsylvania - Scranton
Judge William Nealon
March 1978
CR-7798
Counsel for defendant - Anthony Panaway
65 West Jackson Street
Wilkes Barre, PA 18702
(717) 822-5148

The defendant was a local public official convicted of extorting money from out-of-state contractors who were in the area to repair damage caused by the floods from the remnants of Hurricane Agnes.

- (10) United States v. Frank Martin
Northern District of Indiana - Hammond
Judge Phil McNaghy (deceased)
October, 1977
HCR 77-67
Counsel for defendant - Martin Kinney
500 East 86th Avenue
Merrillville, IN 46410
(219) 769-4793

The defendant was a local public official who was accused of extorting money from a restaurant owner for a zoning variance. Though the defendant was acquitted, the case was significant because it brought to light a pattern of corrupt activity.

- (11) Butler v. MBNA
Northern District of Texas (Dallas)
Judge Barefoot Sanders
3-02CV1715-H
2004
Co-counsel: Thomas Williamson, Covington & Burling LLP
David Ellis, K&L Gates

1717 Main Street, Suite 2800
Dallas, TX 75201
Counsel for defendant - Laura Mall and Sekou Gary
Gary, Williams, Parenti, Finney, Lewis,
McManus, Watson & Sperando
221 East Osceola Street
Stuart, FL 34994

The plaintiff in this case alleged race-based discrimination by her employer, the defendant MBNA. At trial, the jury found in favor of the defendant and the trial judge ordered the plaintiff to pay certain costs incurred by my client.

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. Please list any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

As an attorney with the Public Integrity Section I was responsible for the investigation and, when appropriate, prosecution of complex, oftentimes sensitive, official corruption matters. This was accomplished through the use of investigative grand juries and working with agents from federal, state and local law enforcement agencies. Beginning in 1978 I was lead counsel in all of the investigations in which I was involved. These investigations included cases which resulted in guilty pleas (involving, among others, the former American ambassador to the Dominican Republic, an Assistant United States Attorney in New York City, and an F.B.I. agent in New York) and cases in which, for a variety of reasons, no indictments were sought (a part of the ABSCAM inquiry, a state lieutenant governor, a mayor of a major city and a federal judge, among others).

As a judge, I was involved in a substantial number of serious, highly contested trials both civil and criminal. These trials ranged from felony cases involving murders and rapes to civil proceedings that involved matters as diverse as forced amputations and complicated property settlements.

As United States Attorney for the largest office in the nation, I supervised 300 lawyers involved in civil, appellate, local criminal and federal criminal matters. In essence, and given the unique nature of the legal structure in Washington, D.C., I have functioned as both the local district attorney and the federal prosecutor. There are approximately 600 people in the office and the budget for 1996 was approximately

\$48,000,000. I managed this large office and also supervised the office's work with federal investigative agencies (the FBI, DEA and ATF) as well as local law enforcement. This work has included cases involving political corruption, violent crime, civil and appellate matters.

As Deputy Attorney General, I supervised all of the Department's litigating, enforcement, and administrative components in both civil and criminal matters. Under my guidance, the Department developed and issued guidelines on the criminal prosecution of corporations and issued guidelines on the use of the False Claims Act in civil health care matters. I also created a task force that developed the existing regulation concerning the appointment of special counsels to investigate allegations involving high-level federal officials. I instituted the Department's Children Exposed to Violence Initiative and prioritized enforcement efforts in health care fraud, computer crimes and software piracy. I worked to fund and expand nationwide the concept of community prosecution, which seeks to connect more directly prosecutors with the citizens they serve. At the request of the President, I also began and directed Lawyers for One America, a multi-agency, public/private partnership designed to diversify the legal profession and to increase the amount of pro bono work done by the nation's attorneys.

As a partner at Covington & Burling, I have handled the following significant matters that did not progress to trial:

In 2008, I represented UBS Financial Services, Inc. in cases alleging that UBS's efforts to establish a branch office in Prince George's County, Maryland, headed by an African-American manager, were part of an effort to provide "segregated" services to African-Americans; the district court found that UBS's efforts were part of a diversity program to increase opportunities for African-Americans in the financial services industry and granted summary judgment on behalf of UBS.

In 2008, I represented Merck & Co., Inc. in negotiating various civil settlement agreements that resolved investigations by the United States Department of Justice, the United States Attorneys for the Eastern District of Pennsylvania and the Eastern District of Louisiana, and various states concerning certain of Merck's discount pricing programs and sales and marketing practices.

In 2007, I represented Chiquita Brands International, Inc. in criminal plea negotiations arising out of an investigation into extortion payments made by Chiquita's former Colombian subsidiary to Colombian paramilitary groups. *See United States v. Chiquita Brands International, Inc.*, No. CR-07-55 (D.D.C.).

In 2007, I represented the Special Litigation Committee of the Hewlett-Packard Company Board of Directors in shareholder derivative litigation challenging the

Board's response in 2005 and 2006 to leaks of confidential company information to the press.

In 2006, I represented Purdue Pharma LP in a consumer protection action brought by the State of West Virginia relating to OxyContin, which action was successfully resolved on eve of trial.

In 2005, I represented Itochu Corporation in defending a breach of contract action brought by Citibank which was settled before trial.

In 2004, I represented the District of Columbia Water and Sewer Authority in an internal investigation relating to alleged environmental reporting issues concerning lead in the water supply.

Also while at Covington & Burling, I have registered as a federal lobbyist for three clients:

1. Global Crossing, Inc.
1499 West 121st Avenue
Westminster, CO 80234
303-633-3000
2002 - 2003 - Federal

I advised Global Crossing in connection with legislative and regulatory issues arising from a potential sale to an Asian purchaser as Global Crossing emerged from bankruptcy.

2. Large Scale Biology Corp.
333 Vaca Valley Parkway, Suite 1000
Vacaville, CA 95688
707-446-5501
2002 - Federal

I arranged and attended one meeting with a legislator on behalf of Large Scale Biology Corp. regarding potential funding of research relating to the development of anti-terrorism technology.

3. Defendants in Medical Resident Antitrust Litigation
2003 - 2004 - Federal

I lobbied with legislators on behalf of the defendant medical schools in the Medical Resident Antitrust Litigation regarding the resident matching program.

17. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

District of Columbia Superior Court
Associate Judge
1988 - 1993
Nominated by President Ronald Reagan

United States Attorney for the District of Columbia
1993 - 1997
Nominated by President Bill Clinton

Deputy Attorney General of the United States
Acting Attorney General of the United States
1997 - 2001
Nominated by President Bill Clinton

I have never been a candidate for elected office, nor have I been nominated unsuccessfully for appointed office.

- b. If, in connection with any public office you have held, there were any policy memoranda or statements which were prepared or produced with your personal participation, please supply four (4) copies of these materials. "Participation" includes, but is not limited to, membership in any subcommittee, working group or other such group, which produced a report, memorandum, testimony or responses to Congressional inquiries, or a policy statement. If any of these materials are not available to you, please give the name of the document, the date of the document, a summary of its subject matter, and where it can be found.

Two memos issued while I was the Deputy Attorney General:

- a. Memorandum signed on June 16, 1999 -- "Bringing Criminal Charges Against Corporations."
- b. Memorandum dated June 3, 1998 -- "Guidance on the Use of the False Claims Act in Civil Health Care Matters."

- c. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, please identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

Obama for President campaign; national co-chair; 2007 - 2008

Linda Cropp for Mayor campaign; co-chair; 2006

Democratic National Committee; member, African American Working Group; member, National Lawyers Council; 2005 - 2007

18. Judicial Office

- a. Approximately how many cases did you preside over that went to verdict or judgment?

Approximately 400 – 500 cases.

- i. Of these, approximately what percent were:

jury trials? 60%; bench trials 40% [total 100%]

civil proceedings? 30%; criminal proceedings? 70% [total 100%]

- b. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number (if not reported).

The Superior Court of the District of Columbia Court is the trial court of general jurisdiction for the District of Columbia, handling all local trial matters, including civil, criminal, family court, probate, tax, landlord-tenant, small claims, and traffic. Given the nature and volume of cases I handled, I do not have a strong recollection of significant cases during my time on the bench. I have, however, listed below ten cases that were appealed, affirmed and reported, in order to give a representative sample of the types of matters I handled on a routine basis in D.C.

Superior Court. I do not have information on trial counsel for these cases, but see below in section (c) for names of attorneys who appeared before me regularly.

(1) Reeves v. U.S., 694 A. 2d 52 (D.C. 1997)

Two defendants were convicted of armed first-degree murder, carrying a pistol without a license and possession of a firearm during a crime of violence. The conviction was upheld on appeal, although a ruling made by another judge who took over the case after I was appointed U.S. Attorney was remanded.

(2) Davis v. Davis, 663 A. 2d 499 (D.C. 1995)

A husband in a divorce action filed for a declaratory judgment that he was entitled to have DNA testing done on his wife and her two children to determine whether or not he was their father. Because this issue had been litigated twice in the divorce action, I ruled that collateral estoppel prevented the father from relitigating the issue. The conviction was affirmed.

(3) Garrett v. U.S., 642 A. 2d 1312 (D.C. 1994)

A defendant was convicted of burglary, theft and destruction of property, after breaking into a family's home and taking a television set. The conviction was affirmed.

(4) Williams v. U.S., 641 A. 2d 479 (D.C. 1994)

Defendants were convicted of conspiracy, burglary, assault, possession of a firearm, theft and obstructing justice after robbing a McDonald's restaurant. Their appeals were denied, although the case was remanded for resentencing on one of the charges.

(5) Hughes v. U.S., 633 A. 2d 851 (D.C. 1993)

Defendant was convicted of cocaine distribution and possession. The conviction was affirmed.

(6) In re M.E.B., 638 A. 2d 1123 (D.C. 1994)

Sixteen-year-old defendant was convicted of second-degree murder after a shooting at the door of a laundromat. The conviction was affirmed.

- (7) Scott v. U.S., 619 A. 2d 917 (D.C. 1993)

Defendants mother and son were convicted of armed robbery, and the son was also convicted on a weapons charge, after three employees of a nightclub were held up after closing the business late at night. The convictions were affirmed.

- (8) Annetti v. U.S., 600 A. 2d 387 (D.C. 1991)

Defendant was convicted of assault. His conviction was affirmed.

- (9) In re J.D.C., 594 A. 2d 70 (D.C. 1991)

Defendant charged in a shooting death moved to exclude the media from proceedings. I denied his motion, and was affirmed.

- (10) Bethea v. U.S., 499 A. 2d 415 (D.C. 1991)

Defendant was convicted of cocaine distribution. His conviction was affirmed.

- c. For each of the 10 most significant opinions you wrote, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

As a Superior Court Judge I wrote orders, jury charges, findings of facts and conclusions of law, but handed down few, if any, written decisions. A search of the relevant records indicates that none were published. The Clerk of the District of Columbia Superior Court has searched the Court's library and reports that they have no published or unpublished opinions by me on file. The Clerk indicated that the files of the cases over which I presided are located in off-site storage and he would have to access a computer system no longer in use at the court to determine the extent to which the files could be located and searched, all of which would require significant Court resources.

I have listed below the names and contact information of attorneys who appeared in front of me during that time:

Glennon Threatt
Threatt & Blocton LLC
2 20th Street N
Suite 920
Birmingham, AL 35203-4017
205-251-8747

Michele Roberts
Akin Gump Strauss Hauer & Feld LLP
Robert S. Strauss Bldg.
1333 New Hampshire Ave. N.W.
Washington, D.C. 20036

The Honorable John Mott
D.C. Superior Court
202-879-8393

The Honorable Hiram Puig-Lugo
D.C. Superior Court
202-879-8370

- d. Provide a brief summary of and citations for all appellate opinions where your decisions were reversed or where your judgment was affirmed with significant criticism of your substantive or procedural rulings.

To my knowledge, only two of my decisions were reversed by the D.C. Court of Appeals:

Lewis v. United States, 632 A.2d 383 (D.C. 1993) (holding, contrary to my ruling at trial, that police search of a locked automobile from which defendant had walked away was improper).

In re J.D.C., 594 A.2d 70 (D.C. 1991) (holding, contrary to my ruling, that members of the media should have been excluded from murder proceedings involving juvenile defendant)

- e. Unless otherwise listed above, provide citations or docket numbers for significant opinions on federal, state, or District constitutional issues, including on questions arising under the District of Columbia Charter and Self-Government and

Governmental Reorganization Act, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, please provide copies of the opinions.

None

19. **Recusal:** Please provide a list of any cases, motions or matters that came before you as a judge in which a litigant or party requested that you recuse yourself due to an asserted conflict of interest, or for any other apparent reason, or in which you recused yourself sua sponte. (If your court employed an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Please identify each such case, and for each provide the following information:

I do not recall ever recusing myself in any matter that came before me as a judge.

20. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, please provide four (4) copies to the committee.

I have not taught any courses.

21. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Please describe the arrangements you have made to be compensated in the future for any financial or business interest.

If I am confirmed, I will resign as a partner of Covington & Burling LLP. Upon my separation from the firm, and prior to assuming the duties of Attorney General, I will receive repayment of my partner capital account (\$632,767), deferred compensation from the firm's prior fiscal year (\$680,820), a pro rata share of partner compensation for work I performed in the current fiscal year (including pension contributions) (\$484,073), and a separation payment to be paid prior to or immediately following my separation (\$1,344,050). I will remain vested in the firm's Defined Benefit Plan and Retirement Savings Plan; however, there will be no further contributions to these Plans following my separation from the firm.

22. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service in the position to which you have been nominated? If so, explain.

I have no plans for outside employment.

23. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, patents, honoraria, and other items exceeding \$500 or more (If you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here.)

Sources of Income	2008	2009
Covington & Burling LLP (partner compensation)	\$2,154,364	\$2,508,943 ¹
PNC Bank (interest)	\$15,421	unknown
Verizon stock (dividends)	\$5,534	unknown
Fidelity Investments – Joint WROS Account (dividends & capital gains)	\$1,969	unknown
Fidelity Investments – Traditional IRA (dividends & capital gains)	\$180	unknown
Schwab Retirement Plan Services, Inc.– Covington & Burling Retirement Savings Plan (dividends & capital gains)	\$10,719	unknown

24. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See Net Worth Statement

25. **Potential Conflicts of Interest:**

- Identify any affiliations, pending litigation, financial arrangements, or other factors that are likely to present potential conflicts-of-interest during your initial service in the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.
- Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

¹ Includes deferred compensation from prior fiscal year, pro rata share of partner compensation for work performed in current fiscal year (including pension contributions), and separation payment to be paid prior to or immediately following separation from firm.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest arising from clients and matters my firm and I have handled, and from any other potential sources. In the event of a potential conflict of interest I would consult with the Department's ethics official and take all necessary steps to ensure that I comply with their guidance.

26. **Pro Bono Work**: An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

Since I have joined Covington & Burling LLP, I have done more than fifty hours of pro bono work in every year except one, and in a variety of public and confidential matters. My public pro bono matters have included:

- (1) the representation of Dennis Patrick Brown — who was wrongfully convicted of a rape he did not commit as a 17 year-old African American and served nearly 20 years in Louisiana state prison before he was exonerated by DNA evidence — in connection with a federal proceeding alleging that he was deprived of his constitutional rights in connection with his arrest and prosecution, as well as a state proceeding seeking compensation from an innocence compensation fund;
- (2) the representation of a rape victim with respect to the negligence of an educational institution she attended;
- (3) the representation of Brian Ferguson in connection with post-conviction review proceedings following his murder conviction in West Virginia state court; and
- (4) the representation of the wife of Robert Wone, a murder victim in Washington, D.C.

In addition to these litigation and advisory matters, I have also served as a board member or a trustee of numerous non-profit organizations for numerous years (listed under Question #7 above) which include:

American Constitution Society - Board member since 2003

Senate Judiciary Committee
Eric H. Holder, Jr.
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Columbia University - Trustee since 2007
Meyer Foundation - Board member since 2001
Morehouse School of Medicine - Trustee since 2005
Concerned Black Men - Member since 1983

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS		LIABILITIES	
Cash on hand and in banks	\$1,446,470	Notes payable to banks-secured	
U.S. Government securities-add schedule		Notes payable to banks-unsecured	
Listed securities-add schedule	\$185,596 See Schedule A.	Notes payable to relatives	
Unlisted securities--add schedule		Notes payable to others	
Accounts and notes receivable:		Accounts and bills due	
Due from relatives and friends		Unpaid income tax	
Due from others		Other unpaid income and interest	
Doubtful		Real estate mortgages payable-add schedule	
Real estate owned-add schedule	\$1,900,000 See Schedule B	Chattel mortgages and other liens payable	
Real estate mortgages receivable		Other debts-itemize:	
Autos and other personal property	\$150,000		
Cash value-life insurance			
Other assets itemize:			
IRAs	\$30,095		
Thrift Savings Plan	\$60,494		
Wife's Pension Plan	\$576,706	Total liabilities	
Nominee's Pension & Retirement Savings Plans	\$1,372,585	Net Worth	\$5,721,946
Total Assets	\$5,721,946	Total liabilities and net worth	
CONTINGENT LIABILITIES		GENERAL INFORMATION	

As endorser, comaker or guarantor	None	Are any assets pledged? (Add schedule)	No
On leases or contracts	None	Are you defendant in any suits or legal actions?	No
Legal Claims	None	Have you ever taken bankruptcy?	No
Provision for Federal Income Tax	None		
Other special debt	None		

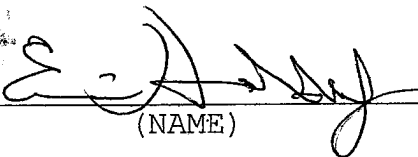
Schedule A: Securities are mutual funds, and bonds, held at Fidelity investments (\$82,596), and Verizon stock (\$103,000).

Schedule B: Real estate owned is residence.

AFFIDAVIT

I, ERIC HOLDER, do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

12-14-08
(DATE)


(NAME)


(NOTARY)

Notary Public District of Columbia
CHARLES HELLER
My Commission Expires: Sept 30, 2013